

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
 US Department of Commerce  
 United States Patent and Trademark  
 Office, PCT  
 2011 South Clark Place Room  
 CP2/5C24  
 Arlington, VA 22202  
 ETATS-UNIS D'AMERIQUE  
 in its capacity as elected Office

<b>Date of mailing (day/month/year)</b> 22 November 2000 (22.11.00)	<b>Applicant's or agent's file reference</b> CM2079/3B
<b>International application No.</b> PCT/US00/10063	<b>Priority date (day/month/year)</b> 30 April 1999 (30.04.99)
<b>International filing date (day/month/year)</b> 13 April 2000 (13.04.00)	
<b>Applicant</b> BAECK, Andre, Cesar	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 06 October 2000 (06.10.00)

☐ in a notice effecting later election filed with the International Bureau on:  
 \_\_\_\_\_

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer S. Mafla Telephone No.: (41-22) 338.83.38
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**PCT**WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau

## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

<b>(51) International Patent Classification <sup>7</sup> :</b> <b>C11D 3/12, 17/06, 17/00</b>	<b>A1</b>	<b>(11) International Publication Number:</b> <b>WO 00/66686</b> <b>(43) International Publication Date:</b> 9 November 2000 (09.11.00)
<b>(21) International Application Number:</b> PCT/US00/10063 <b>(22) International Filing Date:</b> 13 April 2000 (13.04.00) <b>(30) Priority Data:</b> 99870080.1 30 April 1999 (30.04.99) EP <b>(71) Applicant (for all designated States except US):</b> THE PROCTER & GAMBLE COMPANY [US/US]; One Procter & Gamble Plaza, Cincinnati, OH 45202 (US). <b>(72) Inventor; and</b> <b>(75) Inventor/Applicant (for US only):</b> BAECK, Andre, Cesar [BE/BE]; Putsesteenweg 273, B-2820 Bonheiden (BE). <b>(74) Agents:</b> REED, T., David et al.; The Procter & Gamble Company, 5299 Spring Grove Avenue, Cincinnati, OH 45217-1087 (US).		<b>(81) Designated States:</b> AE, AL, AM, AT, AT (Utility model), AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, CZ (Utility model), DE, DE (Utility model), DK, DK (Utility model), DM, EE, EE (Utility model), ES, FI, FI (Utility model), GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SK (Utility model), SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).  <b>Published</b> <i>With international search report.</i>
<b>(54) Title:</b> DETERGENT COMPOSITIONS  <b>(57) Abstract</b>  The present invention relates to a detergent composition comprising an acid sensitive montmorillonite clay, the montmorillonite clay having a crystalline structure which is destroyed after being submitted to acid treatment. A composition containing this clay disintegrates efficiently in the wash and therefore avoids problems such as gelling.		

**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

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DK	Denmark	LK	Sri Lanka	SE	Sweden		
EE	Estonia	LR	Liberia	SG	Singapore		

# INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US 00/10063

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11D3/12 C11D17/06 C11D17/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, EPO-Internal, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>DATABASE WPI Section Ch, Week 8206 Derwent Publications Ltd., London, GB; Class D25, AN 82-10735E XP002116526 &amp; JP 56 167798 A (KUNIMINE KOGYO KK), 23 December 1981 (1981-12-23) abstract</p>	1,4-6
X	<p>DATABASE WPI Section Ch, Week 8247 Derwent Publications Ltd., London, GB; Class A97, AN 82-00966J XP002116527 &amp; JP 57 167454 A (KUNIMINE KOGYO KK), 15 October 1982 (1982-10-15) abstract</p>	1,4-6

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

9 August 2000

Date of mailing of the international search report

17/08/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo.nl,  
Fax: (+31-70) 340-3016

Authorized officer

Grittern, A

# INTERNATIONAL SEARCH REPORT

Intern: al Application No

PCT/US 00/10063

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 1 571 004 A (MIZUSAWA INDUSTRIAL CHEM) 9 July 1980 (1980-07-09) page 10, line 19 - line 97; claims 1,2 -----	1,5,6
A	EP 0 466 484 A (UNILEVER) 15 January 1992 (1992-01-15) cited in the application example 4; tables -----	1,8-10
A	EP 0 430 328 A (UNILEVER NV ;UNILEVER PLC (GB)) 5 June 1991 (1991-06-05) page 5, line 3 - line 12; example 2 -----	1,4-7
A	PATENT ABSTRACTS OF JAPAN vol. 097, no. 007, 31 July 1997 (1997-07-31) & JP 09 087696 A (LION CORP), 31 March 1997 (1997-03-31) abstract -----	1,8

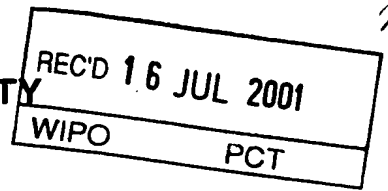
# INTERNATIONAL SEARCH REPORT

Information on patent family members

Intern: al Application No

PCT/US 00/10063

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
JP 56167798 A	23-12-1981	JP 1440732 C JP 62051320 B	30-05-1988 29-10-1987
JP 57167454 A	15-10-1982	JP 1487341 C JP 63039708 B	23-03-1989 08-08-1988
GB 1571004 A	09-07-1980	JP 1094530 C JP 53047408 A JP 55018479 B CA 1087152 A DE 2652409 A DE 2660682 C DE 2660683 C FR 2332321 A GB 1571003 A NL 7612844 A, B, US 4102977 A US 4219535 A US 4238346 A	27-04-1982 27-04-1978 19-05-1980 07-10-1980 26-05-1977 26-05-1988 26-05-1988 17-06-1977 09-07-1980 23-05-1977 25-07-1978 26-08-1980 09-12-1980
EP 0466484 A	15-01-1992	AU 635141 B AU 8030691 A BR 9102951 A CA 2046453 A, C DE 69109192 D DE 69109192 T ES 2071924 T JP 2046192 C JP 4253800 A JP 7068557 B KR 9504826 B US 5360567 A ZA 9105455 A	11-03-1993 16-01-1992 11-02-1992 14-01-1992 01-06-1995 31-08-1995 01-07-1995 25-04-1996 09-09-1992 26-07-1995 13-05-1995 01-11-1994 31-03-1993
EP 0430328 A	05-06-1991	AU 627958 B AU 6690690 A BR 9005981 A CA 2030451 A DE 69016945 D DE 69016945 T ES 2067658 T IN 172032 A JP 3210398 A JP 7062160 B KR 9501687 B ZA 9009477 A	03-09-1992 30-05-1991 24-09-1991 28-05-1991 23-03-1995 14-06-1995 01-04-1995 20-03-1993 13-09-1991 05-07-1995 28-02-1995 29-07-1992
JP 09087696 A	31-03-1997	NONE	



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CM2079/3B	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/10063	International filing date (day/month/year) 13/04/2000	Priority date (day/month/year) 30/04/1999
International Patent Classification (IPC) or national classification and IPC C11D3/12		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 7 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand  06/10/2000	Date of completion of this report  12.07.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  Diebold, A  Telephone No. +49 89 2399 8442 

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/10063

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

### Description, pages:

1-33 as originally filed

### Claims, No.:

1-10 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):



# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/10063

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes:	Claims	2, 3, 7-10
	No:	Claims	1, 4-6
Inventive step (IS)	Yes:	Claims	2, 3
	No:	Claims	1, 4-10
Industrial applicability (IA)	Yes:	Claims	1-10
	No:	Claims	

2. Citations and explanations  
**see separate sheet**

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:  
**see separate sheet**

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US00/10063

**Item V:**

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement.**

- 1) Reference is made to the following documents D1-D3 from the international search report:

D1 = XP-002116526

D2 = XP-002116527

D3 = GB-A-1 571 004

- 2) The present independent claim 1 does not comply with the requirement of Article 6 PCT, as its scope has not been clearly defined and led to doubt concerning the matter for which protection is sought.

It is clear from the description on page 3, first and second paragraphs, that the definition of the wording "acid sensitive montmorillonite clay" is essential to the definition of the invention. According to the present application, the detergent composition comprises an acid sensitive montmorillonite clay, i.e. a montmorillonite clay which crystalline structure is destroyed after being submitted to a specific acid treatment, namely a HCl acid treatment. However, claim 1 is not supported by the description, as its scope is broader than justified by the description. Indeed, the wording "acid sensitive montmorillonite clay" also includes montmorillonite clays which are sensitive or even destroyed when exposed to other acids than the specific HCl treatment of the current invention, namely when subjected to a stronger acidic treatment. At this point, it should be mentioned that most montmorillonite clays are destroyed after exposure to HF (as it has been mentioned in the present application). Therefore, the wording used in present claim 1 includes, in its broadest sense, a detergent composition comprising most of the montmorillonite clays. However, the present application is concerned with a specific HCl treatment, which is a treatment milder than exposure to HF for example.

Since independent claim 1 does not contain this feature (i.e. a montmorillonite clay which is only sensitive to a HCl acid treatment), it does not meet the requirement following from Article 6 PCT taken in combination with Rule 6.3(b) PCT that any independent claim must contain all the technical features essential to the definition

of the invention.

Therefore, this written opinion has been drafted with regards to the definition given on page 3, first and second paragraphs of the present application.

- 3.1) The subject-matter of independent claim 1 does not comply with the requirement of Article 33(2) PCT, because the subject-matter of this claim cannot be regarded as being novel.

Document D1 pertains to a detergent composition containing among other chemicals (i.e. anionic and/or nonionic surfactants and builder), 1-30 wt.% of a modified clay of montmorillonite. This modified clay is prepared by acid treating clay minerals of montmorillonite until at least 10 wt.% and below 35 wt.%  $\text{Al}_2\text{O}_3$  component is eluted (see abstract). A preferred composition is in particulate form.

Document D2 concerns an acid-treated clay composition useful as textile softener obtained by treating 100 wt. parts of clay mineral composed mainly of montmorillonite clay with hydrochloric acid, and subsequently mixing it with 1-10 wt. parts of citric acid (see abstract).

Document D3 describes an acid treatment of smectite clay mineral for manufacturing activated silica or activated alumina-silica as type A zeolite detergent builders. The smectite clay mineral can be selected from montmorillonite clay mineral, and the acid treatment is carried out under such conditions that the multi-layer crystal structure is substantially destroyed. This type A zeolite can be combined with various surface active agents, other builders and additives for use as detergent compositions (see page 2, lines 20-28; page 4, lines 33-45; page 4, lines 65-75; page 5, lines 38-45; page 10, lines 18-98; claims 1 and 2). This zeolite builder can be used effectively for powdery and granular detergents, especially household laundry detergents.

- 3.2) The additional features of the dependent claims 4-6 are also disclosed in at least one of the documents D1-D3. Therefore, the subject-matter of these claims is not regarded as being novel in the sense of Article 33(2) PCT.
- 4) Claims 7-10 appear to be novel over the cited prior art. However, the subject-matter

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US00/10063

of these claims does not involve an inventive step and therefore does not satisfy the criterion set forth in Article 33(3) PCT, the reasons being as follows:

Claims 7 and 8: Granulates and tablets are common, widely used forms for cleaning compositions in the detergent field and it is clear that these forms, as well as the claimed bulk density (i.e. >600 g/l) could be arrived at by the application of normal design and processing procedures, without the exercise of inventive skill.

Claims 9 and 10: It is also known that tablets might comprise several discrete regions for different reasons, i.e. in order to segregate incompatible chemicals or to favour the dispersion of one or more chemicals versus other ones, etc. Additionally, the fact that the clay is more highly concentrated in a first region than in a second region results merely from the application of normal design and processing procedures from which the skilled person would select, in order to solve the problem posed.

- 5) With respect to the available prior art, no objection under Articles 33(2) and (3) PCT is raised against any of claims 2 and 3.
- 6) Claims 1-10 meet the requirement under Article 33(4) PCT, because the present invention is industrially applicable in the field of detergents.

**Item VII:**

**Certain defects in the international application.**

The following defects in the form or contents of the international application have been noted:

- 1) Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 to D3 are not mentioned in the description, nor are these documents identified therein.
- 2) The use of the expression "incorporated herein by reference" (pages 19 and 20 ) in connection with prior art documents introduces ambiguity (Guidelines C-II, 4.17 PCT).
- 3) References to EP, US or PCT documents should have been mentioned with the corresponding EP, US or PCT patent publication numbers instead of the provisional

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US00/10063

patent application numbers. This concerns the following citations:

Page 21: "EP 0 495 257" instead of "91202879.2".

Page 22: "EP 0 537 381" instead of "91202655.6".

Page 22: "EP 0 540 784" instead of "91202882.6".

Page 24: "EP 0 251 446" instead of "87303761.8".

Page 24: "EP 0 451 244" instead of "90915958.4".

Page 24: "US Serial No. 08/322,677".

Page 25: "US Serial No. 60/048,550".

Page 25: "WO99/20727" instead of "PCT/US98/22588".

Page 25: "WO99/20726" instead of "PCT/US98/22482".

Page 25: "WO99/20723" instead of "PCT/US98/22486".

Page 27: "EP 0 553 607" instead of "92870018.6".

- 4) Furthermore, the reference to the document "EP 96870013.8" (page 22), relates to a document which has not been published. Any reference to an unpublished application should not be regarded as being part of the disclosure, since its content was not available to the public before the priority date of the present application (Guidelines C-II, 4.18 PCT).

**Item VIII:**

**Certain observations on the international application.**

The following observation on the clarity of the claims and description or on the question whether the claims are fully supported by the description, is made:

In example 1, there is no indication which montmorillonite clays (B) and (C) have actually been used. However, the application must disclose the invention in a manner sufficiently clear and complete for it to be carried out by a person skilled in the art (Article 5 PCT).

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>CM2079/3B</b>	<b>FOR FURTHER ACTION</b> <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No. <b>PCT/US 00/ 10063</b>	International filing date (day/month/year) <b>13/04/2000</b>	(Earliest) Priority Date (day/month/year) <b>30/04/1999</b>
Applicant  <b>THE PROCTER &amp; GAMBLE COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

RECD AUG 21 2000

From the INTERNATIONAL SEARCHING AUTHORITY

**PCT**NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT  
OR THE DECLARATION

(PCT Rule 44.1)

To:

THE PROCTER & GAMBLE COMPANY  
Attn. REED, T David  
5299 Spring Grove Avenue  
CINCINNATI, OHIO 45217-1087  
UNITED STATES OF AMERICA

PH - Santos  
AR - Goyha

LC: P.G. Mathu / 18/8 / file

Date of mailing  
(day/month/year)

17/08/2000

Applicant's or agent's file reference

CM2079/3B

**FOR FURTHER ACTION**

See paragraphs 1 and 4 below

International application No.

PCT/US 00/10063

International filing date

(day/month/year)

13/04/2000

Applicant

THE PROCTER &amp; GAMBLE COMPANY et al.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Emmanuel Cherqui

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

## INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 45.2).

Where a demand for international preliminary examination has been/is filed, see below.

### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

### What documents must/may accompany the amendments?

#### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in  
English,  
French,  
or German.

French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French.



## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under article 19(1)" (Rule 48.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>CM2079/3B</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 00/ 10063</b>	International filing date (day/month/year) <b>13/04/2000</b>	(Earliest) Priority Date (day/month/year) <b>30/04/1999</b>
Applicant <b>THE PROCTER &amp; GAMBLE COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

### 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures.